

HOUSE BILL NO. 385

INTRODUCED BY A. WALTERS

A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING AN INSURER FROM CANCELING A MOTOR VEHICLE LIABILITY POLICY OR RAISING THE PREMIUM FOR THE POLICY WHEN THE INSURED IS TEMPORARILY LIVING OUT-OF-STATE, AS LONG AS THE INSURED MAINTAINS THE INSURED'S MONTANA RESIDENCY; DESCRIBING A RESIDENT; AND AMENDING SECTION 33-1-202, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 33-1-202, MCA, is amended to read:

"33-1-202. Definitions -- entities. For the purposes of this code, the following definitions apply, unless the context requires otherwise:

(1) "Commissioner" means the commissioner of insurance of the state of Montana.

(2) "Department" means the department of insurance of the state of Montana.

(3) "Person" includes an individual, insurer, company, association, organization, Lloyd's, society, reciprocal or interinsurance exchange, partnership, syndicate, business trust, corporation, or any other legal entity.

(4) "Resident of this state" except as provided in [section 2], means a person who has maintained a principal residence within the state of Montana for a period of not less than 2 consecutive years."

NEW SECTION. Section 2. Residence requirements -- cancellation -- premium increase. (1) For the purposes of this part, a person must be considered a resident of this state if the person has a Montana driver's license and maintains the person's primary residence in this state.

(2) An insurer may not cancel a motor vehicle liability policy or raise the premium for the policy when the insured is temporarily living outside the state of Montana, as long as the insured is a resident of Montana, as provided in subsection (1).

NEW SECTION. Section 3. Codification instruction. [Section 2] is intended to be codified as an integral part of Title 33, chapter 23, part 2, and the provisions of Title 33, chapter 23, part 2, apply to

1 [section 2].

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